

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States of
America, et al.,

Defendants.

NO.

DECLARATION OF
KIMBERLY DARE

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
(206) 464-7744

1 I, Kimberly Dare, declare as follows:

2 1. I am over the age of 18, competent to testify as to the matters herein, and make
3 this declaration based on my personal knowledge.

4 2. I am choosing to use initials for my child because I am afraid for his safety if
5 someone wants to get retribution because of my speaking out.

6 3. My name is Kimberly Dare, and I have lived in Washington state my entire life.
7 I live with my husband, son, and our two dogs. I have worked in a variety of industries and
8 places, including public schools, coaching gymnastics, managing a swimming pool, running a
9 theater program, and currently working as a Compliance Quality Assurance Manager
10 maintaining certifications for a firm that focuses on precision measurement and inspection
11 services in the aerospace industry.

12 4. My son, H.D., is a 19-year-old transgender young man who was assigned female
13 at birth. H.D. is so much fun, funny, and has always had the kindest heart. When he was in just
14 3rd grade, his best friend began experiencing homelessness and sleeping in a car with her parents.
15 When H.D. found out, he asked if she could stay with us a few nights a week to “get breath” (our
16 family’s phrase for how to ground yourself when you feel tense). She began staying with us a
17 few nights per week until the family moved into housing. While her family was unhoused, he
18 would sign us up for food drives that collected for Hopelink and for the Pantry Pack program in
19 our school district. At one of the food drives at a Red Apple grocery store, a gentleman
20 approached H.D. to ask if he knew why he was collecting food. I believe the gentleman had
21 planned to use this as a teaching moment. However, H.D. responded that his best friend was
22 sleeping in her car at the church down the street and used Hopelink for food and he wanted to
23 make sure that there was enough food on the shelves for her and her family. The gentleman
24 returned from the store with a very generous donation. When his best friend was 14, during the
25 pandemic, she was placed with us as a foster child for 18 months. H.D. also loves musical theater
26 and has been in several musicals.

1 5. H.D. is a swimmer and has been a lifeguard since he was 15 years old. He was
2 the first out transgender athlete in his summer swim league and has been an encouragement to
3 other trans athletes in the league. He completed the Running Start program while in high school,
4 graduating with an associate's degree and a 3.89 GPA. He is currently in college where he is
5 learning to follow his passion for digital art and animation with a goal of working in the gaming
6 industry in character creation.

7 6. H.D. presented as female until he came out in the summer after 7th grade. He
8 came to me one day and said he was struggling with whether he was a girl or a boy. I took a
9 breath and asked him what he needed from me. The thing I've come to realize is that none of my
10 dreams for my child change based on his gender. My husband and I dreamed that our child would
11 be kind, compassionate, have strong character, be committed to finding and pursuing their
12 passion, that they are loved at whatever level they want, that they love others to the level they
13 want, and that they are a productive member of society. None of that had changed. None of our
14 dreams were gender specific. It is just important that our kid get to realize who he is as a human
15 and continue to grow.

16 7. I asked H.D. if he wanted me to use different pronouns for him, and he said he
17 would like to try using "they/them." After about two weeks he said "Nope, I am a boy," and he
18 wanted to use he/him instead. Later, he told me that he asked us to use "they/them" to test how
19 we'd react. He knew we loved him, but he also felt like it was a big pill to swallow to hear your
20 child isn't the same person they were at birth. But I told him he *is* still the same person he has
21 always been, he's still kind and lovely and wonderful, and that my agenda for his life never
22 required him to be a girl or a boy.

23 8. I remember one of the early conversations H.D. and I had about his gender was
24 at his therapists' office. He said, "You gave birth to a girl, what if I'm not one?" I responded that
25 I don't care where his gender lies, as long as he is kind to others and to himself. Being kind to
26 others, and to ourselves, is a family rule. Living inauthentically is not being kind to ourselves.

1 He knows he has always had our love and support, even though it was a big deal for him to come
2 out.

3 9. Shortly after H.D. came out to me, he asked to see a therapist. We immediately
4 found him one, and he has been seeing her weekly for about five or six years. There was a brief
5 period of maybe a month and a half where he saw a second therapist who specialized in gender
6 identity, but he felt he was ready to stop seeing her and continue with his regular therapy.

7 10. After my son told us he was a boy and started counseling, we asked his primary
8 care doctor how to get him care. She referred us to a Seattle hospital in July before he started 8th
9 grade. We were able to make an appointment for December of that year. Our first visits to the
10 hospital involved mostly talking with doctors about options that would help H.D. be his authentic
11 self. He had already gone through puberty and had started periods. He didn't want to have them
12 anymore, so the first step was menstrual suppression. He started taking estrogen (birth control
13 pills), and he would skip the placebo week each month, so he didn't experience periods. This
14 entire time, H.D. continued going to his therapist and we continued to have monthly meetings
15 with the hospital doctors. When COVID happened, all these appointments moved to virtual but
16 continued to happen.

17 11. The monthly gender care check-ins are different than a standard visit. They still
18 have a nurse come in and check vitals, then a doctor would discuss with H.D. a care plan for the
19 month until the next check-in. After they agreed on that, a social worker would come in and
20 review that the decisions were appropriate for H.D. The system includes a lot of oversight, so
21 it's not just willy-nilly handing out hormones.

22 12. In November 2020, nearly a year later, and after many consultations with hospital
23 doctors and his therapist, H.D. began to take testosterone. At first, he used the gel, and he was
24 so concerned about us touching it and having bad side effects from it that he would put on a
25 glove, apply the gel, throw the glove away, wash his hands, and wear a special sweatshirt to
26

1 prevent contact. Even with all of that, he still would not let us hug him because he was so
2 concerned about us.

3 13. H.D. began injecting testosterone in September 2021 because the gel was not
4 giving him the changes that he wanted, primarily to his voice. He makes a video every month
5 tracking how his voice changes, saying to the camera “Hi, my name is H.D., and this is my voice
6 X number of months on testosterone.”

7 14. Towards the end of October 2021, right around H.D.’s 16th birthday and the
8 mandatory one-year mark of testosterone treatment, he was referred to a surgeon, who
9 specializes in gender-affirming surgery, for a top surgery consult. Even this step has a great deal
10 of oversight. Eligibility for top surgery requires letters from therapists, doctors, and the social
11 worker. On November 14, 2021, we received a call giving us the surgery date of
12 December 22, 2021. Two weeks before the surgery, I asked our supportive friends and family in
13 our different communities to write him cards that I could give to him right before his surgery. I
14 knew he’d be nervous, but I really wanted him to feel surrounded in love. When I gave them all
15 to him, he said, “Are you serious?” I said, “Yes, look at how loved and valued you are.”

16 15. H.D.’s surgery went perfectly, and his recovery was amazingly easy. He never
17 even had to take anything for his pain. Just two weeks after his surgery, as he was getting ready
18 for bed, he said, “You know what, Mom? I don’t feel dysphoric”. That next summer he felt a
19 little nervous about swimming without his shirt, as people would see his scars. We talked about
20 it and decided that, if someone asked questions he could just say that he “had a medical
21 procedure, everything is great, thank you for asking.”

22 16. When H.D. came out, he immediately talked about hating his chest. He started
23 wearing a binder early on. There is very clear guidance on how long you should wear a binder
24 each day as it limits lung and rib expansion. Binders are not supposed to be worn to bed. But,
25 his dysphoria had increased and he even hated the feeling of his chest when he woke up at night,
26 so he began wearing a binder to bed. After his top surgery, we were able to get him into physical

1 therapy to reverse any restriction in his lungs and ribs and help him to breathe more fully and
2 more easily again.

3 17. As happy as my son is and how loved he is in his community, we still have serious
4 fears and concerns for his safety. He always uses a gender-neutral bathroom, when possible, but
5 sometimes there isn't one available. If he has to use a men's restroom, we have established a
6 rule that his father needs to be in the restroom while he's there. It's sad because no person should
7 have to have their father take them to the bathroom at 19 years old, but this is just one example
8 of the kind of safety planning we as parents have to do to protect our transgender child.

9 18. H.D.'s father and I have tried to limit the impact that these Executive Orders have
10 had on him. We told him that we will stay alert and pay attention, he should just focus on being
11 a kid and being happy. And we have built a safety plan. H.D. has saved up cash in case he needs
12 to make a hasty exit. We have a plan to get him out of the country if necessary. And we have
13 been slightly reducing his testosterone dosage every week so that we can stock up in case there's
14 a gap in being able to access it. Even though this Order applies to people under 19 years old, we
15 have serious concerns that these orders will be expanded to include all trans people. Our child's
16 safety is the most important thing to us.

17 19. Even with all these plans in place and the instructions to try to ignore these
18 Executive Orders, H.D. still knows about what is going on regarding policy on gender-affirming
19 care. The day the Executive Order criminalizing gender-affirming care for minors came down,
20 he stated that he thinks he needs to increase the dose on his antidepressants. He has good mental
21 health tools. But hearing how the leader of your nation views you is disturbing and much bigger
22 than those tools. We immediately called and scheduled the earliest appointment we could get for
23 him with his doctor.

24 20. In the absolute worst-case scenario, where my son could not get the care he
25 needed, I seriously worry about him self-harming. I know he was having thoughts about this
26 before transitioning, and I don't want that to happen again. Many other parents in our community

1 have shared similar fears, including their own children as young as 10-years-old saying that they
 2 don't want to be alive. This kind of depression is not just "I feel sad" for a little while. Untreated
 3 gender dysphoria and living inauthentically is dangerous for mental health and has profound
 4 physical consequences. The entire transgender community is so stressed and so afraid of what is
 5 going to happen to them if they cannot access the lifesaving gender-affirming care they need. I
 6 know it may be dangerous to speak out, but this is too important not to say something.

7 I declare under penalty of perjury under the laws of the State of Washington and the
 8 United States of America that the foregoing is true and correct.

9 DATED this 4th day of February 2025, at Redmond, Washington.

10 *Kimberly E. Dare*
 11 KIMBERLY DARE
 12 Parent of H.D.